

REMARKS

In the **non-final** Office Action mailed November 12, 2009, the Office noted that claims 6-9 were pending and rejected claims 6-9. In this amendment claims 6 and 9 have been amended, no claim has been canceled, claim 11 is new, and, thus, in view of the foregoing claims 6-9 and 11 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 103

Claims 6-9 stand rejected under 35 U.S.C. § 103(a) as being obvious over Motohashi, U.S. Patent Publication No. 2003/0202782 in view of Hosoda, U.S. Patent No. 5,754,508. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Claim 6 has been amended to recite "a first controlling device for controlling said writing device **(i)** to write the record information into the first **recording layer** and **(ii)** to **write the record information into** second recording layers, **after the recording of the first recording layer is finished, while a recording direction is turned-around;** a second controlling device for controlling said writing device to write a predetermined amount of buffer data on **both of (i)** an outer circumferential side of the record information written in **a area portion of** the

*first recording layer at which the recording direction is turned-around and (ii) an outer circumferential side of the record information written in a area portion of second recording layers at which the recording direction is turned-around."* (Emphasis added) Support for the amendment may be found, for example, in Fig. 8 and ¶¶ 0020, 0021, 0052, 0053, 0087, 0093 and 0096 of the originally filed Specification. The Applicants submit that no new matter is believed to have been added by the amendment of claim 6. Claim 9 likewise has been amended in a similar manner.

The combination Motohashi and Hosoda does not suggest or teach the features of the claims such as "write a predetermined amount of buffer data on both of (i) an outer circumferential side of the record information written in a area portion of the first recording layer at which the recording direction is turned-around and (ii) an outer circumferential side of the record information written in a area portion of second recording layers at which the recording direction is turned-around."

More particularly, Motohashi merely discloses that the closure 231 including buffer zone 233 is written into the area portion which adjacent to the end edge of each recorded data or each session (Motohashi Figs. 10-13). Therefore, Motohashi does not disclose (i) the recording operation with respect to two layer type recording medium, (ii) the turn-around recording (i.e. the recording operation by the first controlling device of the

present invention), and (iii) the recording of the buffer data into the turn-around point (i.e. the recording operation by the second controlling device of the present invention).

Further, Hosoda merely discloses that one optical head 11 records the first data into A-surface zone of the optical disc from the inner circumferential side to the outer circumferential side and the other one optical head 12 records the second data into B-surface zone of the optical disc from the outer circumferential side to the inner circumferential side (see Hosoda col. 3, lines 53-61; col. 4, lines 9-18 and 31-40 of). However, in Hosoda, the A-surface zone and the B-surface zone are simultaneously subjected to recording processes (see Hosoda col. 4 lines 34 and 35). Therefore, Motohashi does not disclose the turn-around recording (i.e. the recording operation by the first controlling device of the present invention). In addition, it is obvious that Motohashi does not disclose the recording of the buffer data into the turn-around point (i.e. the recording operation by the second controlling device of the present invention).

Thus, the combination of Motohashi and Hosoda does not disclose, teach or suggest the feature of claims 6 and 9.

Further, if the recording operation of the closure disclosed in Motohashi is adapted to the recording operation to the A-surface zone and the B-surface zone disclosed in Hosoda, the closure is recorded into the area portion which adjacent to

the end edge (i.e. the outer circumferential edge) of the first data recorded into the A-surface zone and the closure is recorded into the area portion which adjacent to the end edge (i.e. the inner circumferential edge) of the first data recorded into the B-surface zone. Therefore, the combination of Motohashi and Hosoda does not disclose, teach or suggest the above features of claims 6 and 9 such as (i) a buffer data is written into the area portion which adjacent to the end edge (i.e. the outer circumferential edge) of the record information written in a area portion of the first recording layer at which the recording direction is turned 'around and (ii) a buffer data is written into the area portion which adjacent to the start edge (i.e. the outer circumferential edge) of the record information written in a area portion of the second recording layer at which the recording direction is turned-around.

Therefore, for at least the reasons discussed above, Motohashi and Hosoda, taken separately or in combination, fail to render obvious the features of claims 6 and 9 and the claims dependent therefrom.

Withdrawal of the rejections is respectfully requested.

NEW CLAIM

Claim 11 is new. Support for claim 11 may be found, for example, in Fig. 6 and ¶¶ 0020 and 0078 of the originally filed Specification. The prior art of record fails to disclose

said writing device includes single pick-up device.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 6-9 and 11 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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